

Her memberships include the American Bar Association, Cleveland Bar Association, the National Black Prosecutor's Association, National Council of Negro Women, and the Cuyahoga Women's Political Caucus. She is also a member of the Black Elected Democrats of Cleveland Ohio (B.E.D.C.O.), which I founded. Additionally, Stephanie Tubbs Jones is a trustee of the Cleveland Police Historical Society, and serves on the Board of Trustees for the Community Re-Entry Program. Mrs. Jones and her husband, Mervyn, are the proud parents of a son, Mervyn L. Jones, II.

Mr. Speaker, I join her colleagues, family and members of the community in saluting Stephanie Tubbs Jones upon her selection as the 1995 Black Professional of the Year. I am proud of our close working relationship and I wish her much continued success.

THE HUMANITARIAN AID CORRIDOR ACT

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 1995

Mr. MARKEY. Mr. Speaker, I rise today in strong support of the Humanitarian Aid Corridor Act. This important legislation, which received impressive bipartisan support last year, would ban U.S. assistance to countries which prohibit or restrict the transport of U.S. humanitarian aid.

As we continue to evaluate our foreign aid program, it is critical that we assure that our foreign assistance reaches those in need quickly and efficiently. The unimpeded delivery of humanitarian aid is particularly important in the republics of the former Soviet Union, where the transition from authoritarian rule to open, democratic processes has been especially difficult. While the forces of communism which once dominated Eastern Europe have been defeated, peace and democracy have not yet taken firm hold. As the struggle continues between the old guard and the past and the reform movement planing a free and democratic future, we must not abandon those who are working to establish democracy where once there was only repression, intimidation, persecution, and fear.

The reform effort in central and Eastern Europe deserves the involvement and commitment of the United States. Since declaring its independence from Soviet rule in 1991, one of the countries in this region, the Republic of Armenia, has moved purposefully to establish a democratic system based on the principles of human rights and open market reforms. In the midst of a region marked by turbulence and instability, Armenia serves as a shining example of steadiness and freedom.

There are several strategies which our government could use to nurture the reform effort undertaken by some of the nations in this pivotal region, including developing incentives for long-term U.S. private investment, providing emerging democracies with greater access to our markets, and extending the provisions of the general system of preferences to nations in the area. The most important and most basic step in our entire aid program, however, should be making sure that the assistance we

are currently providing is delivered to its intended destination swiftly and by the most direct route possible.

While successful and efficient delivery of humanitarian aid seems an obvious goal, it is one which is not always met. For example, much of the assistance destined for Armenia has been blocked by some of Armenia's neighbors as part of an on-going, 5-year economic embargo. The closure of cargo crossings in states bordering Armenia has forced the United States, in many cases, to transport aid around blockades at significant delay and expense. Because of the circuitous routes which United States aid to Armenia often is forced to travel, humanitarian assistance has been more susceptible to theft.

Mr. Speaker, the Humanitarian Aid Corridor Act is a common-sense bill which will ensure that we are not subsidizing nations which are making it more difficult and costly for us to deliver desperately needed aid. It will make sure that the assistance get through to those working to establish democratic institutions, and I rise in strong support of this important legislation.

CAPITAL PUNISHMENT: WHAT PROSECUTORS WON'T TELL YOU

HON. JOHN J. LaFALCE

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 1995

Mr. LaFALCE. Mr. Speaker, I respectfully submit for inclusion in the CONGRESSIONAL RECORD an article from the February 7, 1995, issue of the New York Times, entitled "What Prosecutors Won't Tell You." This article was written by Robert M. Morgenthau, the district attorney of Manhattan. As the House of Representatives is considering fundamental changes to death penalty procedures, the habeas corpus process, and the criminal justice system, I commend to my colleagues Mr. Morgenthau's insightful analysis of the grave societal costs imposed by our capital punishment system.

[From the New York Times, Feb. 7, 1995]

WHAT PROSECUTORS WON'T TELL YOU

(By Robert M. Morgenthau)

People concerned about the escalating fear of violence, as I am, may believe that capital punishment is a good way to combat that trend. Take it from someone who has spent a career in Federal and state law enforcement, enacting the death penalty in New York State would be a grave mistake.

Prosecutors must reveal the dirty little secret they too often share only among themselves: The death penalty actually hinders the fight against crime.

Promoted by members of both political parties in response to an angry populace, capital punishment is a mirage that distracts society from more fruitful, less facile answers. It exacts a terrible price in dollars, lives and human decency. Rather than tamping down the flames of violence, it fuels them while draining millions of dollars from more promising efforts to restore safety to our lives.

Even proponents have been forced to concede that more than a century's experience has not produced credible evidence that executions deter crime. That's why many dis-

trict attorneys throughout New York State and America oppose it—privately. Fear of political repercussions keeps them from saying so publicly.

To deter crime, punishment must be prompt and certain. Resources should be focused on that goal and on recidivists and career criminals, who commit a disproportionate share of all crime, including murder.

Last year, 6,100 criminals were sentenced to state prison in Manhattan, and 9,000 more were sent to city jail. That is the constructive way to be tough on crime. In 1975, when I became District Attorney, there were 648 homicides in Manhattan; in 1994, there were 330. The number has been cut virtually in half without executions—proof to me that they are not needed to continue that trend.

Executions waste scarce law-enforcement financial and personnel resources. An authoritative study by Duke University in 1993 found that for each person executed in North Carolina, the state paid over \$2 million more than it would have cost to imprison him for life, in part because of court proceedings.

In New York, the cost would be higher. A 1989 study by the Department of Correctional Services estimated that the death penalty would cost the state \$118 million a year. More crime would be prevented if a fraction of that money were spent on an array of solutions from prisons to drug treatment programs.

If you have the death penalty, you will execute innocent people. No one disagrees that such horrors occur—the only argument concerns how often. A 1987 study in the Stanford Law Review identified 350 cases in this century in which innocent people were wrongly convicted of crimes for which they could have received the death penalty; of that number, perhaps as many as 23 were executed. New York led the list with eight.

This year, an appalling miscarriage of justice occurred when Texas executed Jesse DeWayne Jacobs. He was sentenced to death for a murder he originally confessed to—but later claimed had been committed by his sister. In the subsequent trial of his sister, the prosecutor unequivocally disavowed the confession he had used to convict Mr. Jacobs. He argued that Mr. Jacobs had told the truth when he said that his sister had pulled the trigger and that he had not anticipated any murder. Mr. Jacobs was executed anyway.

Some crimes are so depraved that execution might seem just. But even in the impossible even that a statute could be written and applied so wisely that it would reach only those cases, the price would still be too high.

It has long been argued, with statistical support, that by their brutalizing the dehumanizing effect on society, executions cause more murders than they prevent. "After every instance in which the law violates the sanctity of human life, that life is held less sacred by the community among whom the outrage is perpetrated." Those words written in 1846 by Robert Rantoul Jr., a Massachusetts legislator, are no less true today.

Murders like those at the Brookline, Mass., abortion clinics late last year are monstrous even if a killer believes his cause is just. Yet when the state kills, it sends the opposite message: the death penalty endorses violent solutions, and violence begets violence.

The only honest justification for the death penalty is vengeance, but the Lord says, "Vengeance is mine." It is wrong for secular governments to try to usurp that role. That's why New York should reject the death penalty.